

Message

From: Bertrand, Charlotte [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F044D768E05842E1B75321FF6010E1B8-BERTRAND, CHARLOTTE]
Sent: 3/7/2019 1:41:54 PM
To: Dunton, Cheryl [Dunton.Cheryl@epa.gov]
CC: Strauss, Linda [Strauss.Linda@epa.gov]
Subject: RE: OPA review of edits to chlorpyrifos web page

I'd like to bring it up at one of the DAA meetings – thanks for checking. Should have an answer tomorrow.

From: Dunton, Cheryl
Sent: Thursday, March 07, 2019 6:15 AM
To: Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>
Cc: Strauss, Linda <Strauss.Linda@epa.gov>
Subject: FW: OPA review of edits to chlorpyrifos web page

Hi Charlotte – Angela told me you wanted me to go ahead and get OPA's ok the web changes for the chlorpyrifos Columbia study page while you guys are working out the formal response letter. Nancy G. in OPA wants to know if Alex is ok with these changes. Is this something you'd like to bring up at one of your DAA meetings since you've been working on this? Or do you want me to send her a note? Wasn't sure which would be easier/most efficient since this might take a bit of explaining the background on receiving the request from CBD and how we're required to respond. Thanks.

From: Dunton, Cheryl
Sent: Tuesday, March 5, 2019 2:07 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Strauss, Linda <Strauss.Linda@epa.gov>
Subject: OPA review of edits to chlorpyrifos web page

Hi Nancy – a few months ago we received a formal request for corrections to the chlorpyrifos Columbia study webpage (<https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data>) from the Center for Biological Diversity. Request attached as background. In response to their request, we're proposing to make the below edits in red. Since OPA (Liz at the time) was so involved with the development of this webpage, Charlotte wanted me to check with you guys to see if you had any issues with the edits. Let me know what you think or if you need more info. Thanks.

Chlorpyrifos: EPA's ~~Seven Year Quest~~ Request for Columbia's Raw Data

In 2007, EPA received a petition from PANNA and NRDC asking the Agency to revoke the tolerances for the pesticide chlorpyrifos.

~~Since 2010,~~ Prior to 2013, EPA ~~has sought~~ requested the dataset from an epidemiology study conducted by the Columbia Center for Children's Environmental Health (CCCEH) which EPA used as the reasoning behind a proposed rule in November 2015 to revoke the tolerances for chlorpyrifos, potentially banning the pesticide from use. EPA had a March 31, 2017 court-ordered deadline to make a decision on the PANNA/NRDC petition seeking a ban.

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and USDA questioning the study and its data:

- 2016 EPA Scientific Advisory Panel: “Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced.”
- 2017 USDA letter: Recommends denying the petition citing EPA’s *Scientific Integrity Policy*: “USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision ...”

Given that the Ninth Circuit would not provide additional time for a new administration to review the issue, EPA denied the petition, based on the lack of time, divergent views from the cabinet departments and the fact that the scheduled FIFRA review for all pesticides, including chlorpyrifos, allows for a public process that included more time to further evaluate the science and come to a clearer scientific resolution of the issues.

~~On July 18, 2017, the Ninth Circuit ruled in EPA’s favor, refusing to short-circuit the process established by Congress to challenge a denial of a petition to revoke a tolerance, affording EPA additional time to conduct a proper evaluation under the law of the science and the studies on chlorpyrifos and provide clarity about the pesticides’ safety to the American people. [paragraph struck based on recent LULAC v. Wheeler litigation]~~

EPA Requests for Columbia Study's Data

Despite multiple requests, an EPA visit to Columbia, and a public commitment to “share all data gathered,” CCCEH has not provided EPA with the data used. Some recent requests dating back to 2010 include:

1. December 29, 2014: EPA revised Human Health Risk Assessment - see Appendix 6: CCCEH Epidemiology Data Acquisition “Raw Data” Request on page 384 [links to <https://www.regulations.gov/document?D=EPA-HQ-OPP-2008-0850-0195>]
2. April 19, 2016: EPA letter to Linda P. Fried, Dean, Mailman School of Public Health
3. May 18, 2016: Linda P. Fried, Dean, Mailman School of Public Health letter to EPA
4. June 27, 2016: EPA letter to Linda P. Fried, Mailman School of Public Health
5. January 17, 2017: USDA letter to EPA citing *Scientific Integrity Policy*
6. January 2, 2018: EPA letter to Linda Fried, once again requesting dataset
7. January 8, 2018: Email from Linda Fried saying EPA needs to “clarify the information requests”